

ORIGINAL

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In The united states District Court
For the Northern District of
Fort Worth Division

U.S. DISTRICT COURT NORTHERN DISTRICT OF TEXAS FILED AUG - 7 2014 CLERK, U.S. DISTRICT COURT By _____ Deputy

United States of America:

v.

Case NO.:
4:14-CR-
074-Y

JONATHAN DANIEL KUTET:

Affidavit of Fact

1. On 8-15-13 Hood County Criminal Investigator R. Young (Herein after "Young") did drive on to private property, 7405 Colony Rd Tolar TX 76476.
2. Young was in an unmarked vehicle.
3. Young was trespassing on private property.
4. Young did not display or show a badge

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5. Young did not announce himself as a peace officer.
6. Young drew his weapon and force fully incisted Jonathan to get on the ground.
7. Jonathan asked who he was.
8. Young denied Jonathan's request for a warrant and Identification.
9. Young stated (you watch to much TV I don't need a warrant).
10. Young handcuffed Jonathan.
11. Young searched Jonathan.
12. Young took and seized a black I Phone without any warrant.
13. Young placed the Phone in his shirt pocket

30+6.

14. Jonathan asked that Young produce a search and or seizure warrant.
15. Young stated (I don't need a search or seizure warrant).
16. Jonathan's father Bruce Kate; was a witness to the entire incident between Jonathan and Young.
17. Bruce informed Young he was on his private property
18. Bruce asked Young for a warrant.
19. Young again denied Bruce a warrant.
20. Jonathan requested Young turn the phone and other personal items to Bruce.

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21. Young denied Jonathan's request to turn over the IPhone to Bruce.
22. Young did not make a clone of the Phone.
23. Young did not secure the Phone in a evidence bag.
24. Young did not show Jonathan a complaint.
25. Jonathan was Bailed out of Hood County on 08-16-13, the Phone that was taken illegally, without a warrant or consent was not in Jonathan's personal property.
26. Jonathan made a request for the phone at the jail on 08-16-13.
27. Young showed up at Jonathan's residence un announced on 01-14-14 and arrested Jonathan

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for what he claimed was a
federal arrest warrant.

28. Young took Jonathan to Hood
County Jail for what he was told
was an over night holding on
a federal warrant 01-14-14.

29. There is not a federal Warrant
for arrest on Jonathan

30. There is not a federal search
warrant for Jonathan's property.

~~JK 31. There is not a federal search
warrant for Jonathan's property. JK~~

31. There is not a federal warrant
for the Black iPhone for seizure.

~~JK 32. Th~~

32. There is not a federal warrant
for the contents of the Black
iPhone

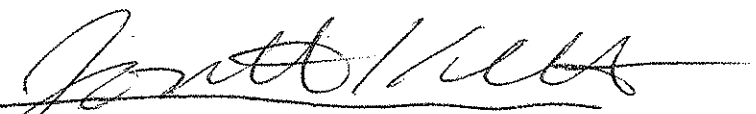
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33. Any evidence or information found in the Black iPhone illegally seized by Young is inadmissible in any court.

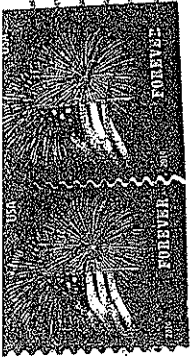
34 Any evidence or Information obtained by the government found on the Black iPhone without a warrant for seizure or search is inadmissible in any court.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
(without submitting to any foreign jurisdiction)

Executed on



Authorized Rep
without Recourse



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